

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CARLTON HARRIS-BEY, #80338

PETITIONER

VERSUS

CIVIL ACTION NO: 4:09cv41-P-S

STATE OF MISSISSIPPI, et al

RESPONDENTS

ORDER

On October 6, 2009, respondents moved this court to dismiss the above entitled action without prejudice for failure to exhaust available state remedies. After reviewing the docket in this case, it appears that the petitioner notified the court of an address change after the filing of Respondent's Motion to Dismiss. Petitioner has not responded.

IT IS, THEREFORE, ORDERED:

That petitioner is to return to Clerk's Office, 911 Jackson Avenue, Room 369, Oxford, Mississippi 38655-3622, a signed notice of the acknowledgment form accompanying this Order.

That petitioner is to respond to the pending Motion to Dismiss within ten days of receiving this Order or risk dismissal for failure to prosecute.

THIS, the 9th day of November 2009.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE